

Connecticut Library Association Talking Points

Proposed Bill No. 5614

Summary: In February, a bill proposal will be introduced in the Connecticut General Assembly that would require publishers of electronic books to license e-book titles offered to the general public to libraries.

Basic E-book Challenges

- Several of the world's largest publishers are resorting to price gouging or setting checkout limitations on e-books sold to libraries, while others have openly refused to sell to libraries.
- In many cases, e-book circulation is hindered by the availability of popular titles.
- We expect the number of e-book readers borrowing from their libraries to grow over the coming years. Pew data found that "e-book users are quite attached to their libraries" and that "they are very important to them and their families."

On the Bill:

- As more and more content is delivered digitally, Connecticut libraries are struggling to provide free access to the communities they serve when some publishers place unfair restrictions and prices on ebooks and other digital content.
- Six major publishers are making it difficult for libraries to purchase ebooks by imposing unfair e-book lending practices, which includes price gouging, lending restrictions and, in some cases, outright refusal to license e-books to libraries.
- As several large book publishers continue to deny libraries access to e-books, state libraries are unable to offer all the e-reading choices our patrons demand and deserve.
- The passing of the bill would make e-books accessible to libraries at fair terms. The Connecticut bill is the first state-wide bill proposal initiated on the availability of e-books for library purchase.
- The bill proposal is reflective of the frustrations that Connecticut library patrons are facing as their local libraries work to serve the public and to fulfill their role in society.
- The bill was proposed because libraries must act now to ensure that patrons have equal access to the reading and educational materials that they need, regardless of their socioeconomic status.
- Today's public libraries are technology hubs that millions rely on as their first or only choice for Internet access and digital content, and Connecticut libraries have a responsibility to provide patrons with the information that they need.
- Libraries have tremendous responsibility in ensuring that all people have access to the content they need – no matter what format that content comes in.

- The ebook bill brings the e-book library lending issue to the forefront. The bill helps to facilitate a public dialogue about the role that libraries play in building literate and knowledgeable communities.
- The public should know that libraries offer e-books and 21st-century library services, but are unable to offer all the e-reading choices that their patrons demand.

Nationwide Library Action

- The American Library Association (ALA) has been a major advocate for fair and equal e-book library lending practices. Over the course of the last year, the American Library Association met with key players in the publishing ecosystem to better understand publisher concerns and to advocate for access to ebooks for libraries under fair and reasonable conditions.
- Additionally, ALA established the Digital Content & Libraries Working Group (DCWG), a member group that advises the Association on issues related to libraries and digital content, and the provision of equitable access to digital content for all.
- In the last year, the Digital Content & Libraries Working Group has developed tools, including the ALA Ebook Media Toolkit, to support librarians across the country in raising awareness that libraries are unable to purchase content at any price from publishers.
- Additionally, the DCWG created reports related to ebook business models for public libraries and initiated a series of tip sheets to provide information on the complicated issues in providing digital resources to their patrons and students.
- Most recently, ALA released the ALA Business Model Scorecard, a report that examines specific variables often seen in library ebook license contracts.
- The DCWG recommends three basic attributes that should be found in any business model for ebooks:
 1. **Inclusion of all titles:** All ebook titles available for sale to the public should also be available to libraries.
 2. **Enduring rights:** Libraries should have the option to effectively own the ebooks they purchase, including the right to transfer them to another delivery platform and to continue to lend them indefinitely.
 3. **Integration:** Libraries need access to metadata and management tools provided by publishers to enhance the discovery of ebooks.
- Other library groups have advocated for fair lending practices, including the State Library of Kansas, which launched a Facebook campaign in 2012.